

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

U.S.A. vs. Elaina J. Herrion

Docket No. 5:14-MJ-1885-1

Petition for Action on Probation

COMES NOW Robert K. Britt, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Elaina Herrion, who, upon an earlier plea of guilty to Driving While Impaired - Level 5, in violation of 18 U.S.C. §13, assimilating N.C.G.S. 20-138.1, was sentenced by the Honorable Kimberly A. Swank, U.S. Magistrate Judge, on January 7, 2015, to a 12-month term of supervised probation under the conditions adopted by the court. Additionally, Ms. Herrion was ordered to complete 24 hours of community service as arranged by the probation office.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: Ms. Herrion is a resident of the Middle District of North Carolina and she is currently being supervised by United States Probation Officer Karen Tremblay. Officer Tremblay indicates that Ms. Herrion has only completed 5 hours of the ordered community service and is unlikely to be able to satisfy this obligation prior to her scheduled expiration date of January 7, 2016. Officer Tremblay adds that Ms. Herrion is a working single parent which has hindered her ability to do the community service. She recommends that the term of probation be extended for a period of 10 months to allow Ms. Herrion additional time to complete this obligation. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that probation be modified as follows:
The term of probation is extended ten (10) months, to expire 11/6/2016.

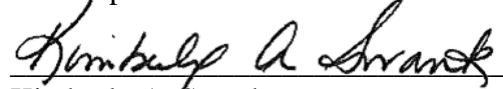
Except as herein modified, the judgment shall remain in full force and effect.

I declare under penalty of perjury that the foregoing is true and correct.

Robert K. Britt
Supervising U.S. Probation Officer
310 Dick Street
Fayetteville, NC 28301-5730
Phone: (910) 483-8613
Executed On: December 9, 2015

ORDER OF COURT

Considered and ordered this 9th day of December, 2015, and ordered filed and made a part of the records in the above case.



Kimberly A. Swank
U.S. Magistrate Judge